

CHAPTER XXIII.

SURVEY OF FOREIGN GOODS DELIVERED IN A DAMAGED CONDITION.

311. *Survey*.—Government Resolution, General Department, No. 7538, dated 20th November 1930. On receipt of an intimation from the Port Trust Authorities, the consignee should arrange for a survey being held on the damaged goods with a representative of the Shipping Agents and the Port Trust.

312. *Members of the committee*.—The two members of the survey committee (the representative of the Shipping Agents and the Government consignee) must be present simultaneously at the survey.

313. *Condition*.—They must agree as to the facts of the damage, i.e., outward condition of packages, nature and extent of damage.

314. *Conclusive agreement*.—The consignee's representative should endeavour to reach an agreement with the Agents' representative as to the probable cause of damage and the liability of the carriers without however agreeing to any compromise.

315. *Report on the survey*.—In the event of a failure to agree on the issues in paragraph 314 above, the survey report should be noted accordingly together with the reasons for disagreement, each side recording its own view.

316. *Liability*.—The liability should then be settled by the Accountant General in consultation with the Shipping Companies.

317. *Nature of survey*.—The attention of all departments who appoint representatives at surveys should be drawn to the necessity of ascertaining the nature of the receipt held by the ship from the Bombay Port Trust, and thereafter, at the survey, of noting particularly the condition and shortage, marks and number of each individual package for subsequent check with the Port Trust Remark Lists in the event of a claim being disputed.

318. *Port Trust nominee and others*.—The Deputy Manager, Bombay Port Trust, should represent Government at all surveys. Government departments located in Bombay should however continue to send their own representatives as this will materially help to a correct assessment of the extent of the damage.